

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 08 CR 276
v.	)	Judge Blanche M. Manning
	)	
WILLIAM COZZI	)	

**AGREED MOTION TO FILE DOCUMENT  
UNDER SEAL PURSUANT TO LR 26.2**

Pursuant to Local Rule 26.2, the UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, with the agreement of defendant's counsel, respectfully requests that this Court enter an order allowing the government to file the Government's Response to Defendant's Motion for a Taint Hearing under seal. In support of its motion, the government states as follows:

1. Defendant has moved this Court to conduct an evidentiary hearing in order to determine whether the government has a legitimate independent source of its evidence, separate from any compelled statement made by defendant.

2. The government's response is due on August 15, 2008. The government anticipates that it will file its response brief on August 14, 2008.

3. The government's response will discuss details of a grand jury investigation related to defendant. Further, the government anticipates that the exhibits to the response will consist of grand jury transcripts and other materials obtained through the grand jury investigation.

4. In order to maintain the secrecy of the grand jury materials, the government requests that it be allowed to file its response brief and exhibits under seal pursuant to Local Rule 26.2.

5. On August 13, 2008, AUSA Scott R. Drury spoke with Edward Genson, a partner of defense counsel Terrence Gillespie, and asked if Mr. Gillespie would agree to this motion. Mr. Genson called AUSA Drury back and stated that he had spoken with Mr. Gillespie and that Mr. Gillespie stated that the government could file this motion as an agreed motion.

WHEREFORE, the UNITED STATES OF AMERICA, respectfully requests that this Court enter an order pursuant to Local Rule 26.2 allowing the government to file the Government's Response to Defendant's Motion for a Taint Hearing under seal.

Dated: August 13, 2008

Respectfully submitted,

PATRICK J. FITZGERALD  
United States Attorney

By: Scott R. Drury/s  
SCOTT R. DRURY  
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**CERTIFICATE OF SERVICE**

The undersigned Assistant United States Attorney hereby certifies that the following document:

Government's Response to Defendant's Motion for a Taint Hearing

was served on August 14, 2008, in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

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